

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**ENTERED**

May 15, 2024

Nathan Ochsner, Clerk

RHONDA K. SMITH,
Plaintiff,

§ CIVIL ACTION NO.

§ 4:24-cv-01406

§

vs.

§ JUDGE CHARLES ESKRIDGE

§

DMB FINANCIAL, LLC,
Defendant.

§

§

SCHEDULING AND DOCKET CONTROL ORDER

The following schedule will control disposition of this case. For further information, see Section 10 of this Court's procedures.

The parties are ADVISED that (i) no continuance will be granted, even upon joint motion, absent a showing of actual diligence and extraordinary cause, and (ii) discovery failures may result, at the appropriate time, in dismissal of claims or the striking of evidence or defenses. Proceed accordingly.

1. 9/24/2024**MOTIONS TO ADD NEW PARTIES OR FOR LEAVE
TO AMEND PLEADINGS**

The party causing the addition of a new party must provide copies of this Order and all previously entered Orders to the new party.

Any party seeking leave to amend pleadings after this date must show good cause.

2a. 10/24/2024**EXPERTS (other than attorney's fees)**

The party with the burden of proof on an issue must designate expert witnesses in writing and provide the required report under Rule 26(a)(2).

2b. 11/8/2024

The opposing party must designate expert witnesses in writing and provide the required report under Rule 26(a)(2).

3. 12/10/2024 **COMPLETION OF DISCOVERY**
Discovery requests are not timely if the deadline for response under the Federal Rules of Civil Procedure falls after this date. Parties may by agreement continue discovery beyond the deadline.
4. 1/7/2025 **MEDIATION OR SETTLEMENT CONFERENCE BEFORE THE MAGISTRATE JUDGE**
The parties must complete mediation or other form of dispute resolution.
5. 1/22/2025 **DEADLINE FOR JOINT PRETRIAL ORDER AND MOTIONS *IN LIMINE***
The Joint Pretrial Order must contain the pretrial disclosures required by Rule 26(a)(3). Plaintiff is responsible for timely filing of the complete Joint Pretrial Order. Failure to do so may lead to dismissal or other sanction in accordance with applicable rules.
6. 2/18/2025 **DOCKET CALL**
Docket call is set for 01:30 PM in Courtroom 9F, United States Courthouse, 515 Rusk Street, Houston, Texas. Documents filed within seven days of docket call will not be considered. Pending motions will be addressed, with the case set for trial as close to docket call as practicable.


Motions under Rules 12(b)(6) or 12(c) are discouraged and infrequently granted under these deadlines. Motions under Rule 56 are allowed only upon permission received at docket call together with abatement of trial.

Any party wishing to make a discovery or scheduling motion must obtain permission before the submission of motion papers. This includes any motion to compel, to quash, for protection, or for extension. Follow Section 15 of the Court's procedures.

The parties agree to submit issues regarding attorney fees by affidavit after resolution of liability and damages.

If referred, the Magistrate Judge has the authority to adjust the scheduling order dates.

Signed on May 15, 2024, at Houston, Texas.



Hon. Charles Eskridge
United States District Judge